

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MARTIQUEA MIDDLETON,

Plaintiff,

vs.

**Case No.: 2:15-cv-2997
JUDGE SMITH
Magistrate Judge Deavers**

THE OHIO STATE UNIVERSITY, *et al.*,

Defendants.

ORDER

On January 19, 2016, the United States Magistrate Judge issued an Order and Initial Screen Report and Recommendation recommending that Plaintiff's request to proceed *in forma pauperis* be granted and that Plaintiff's Complaint against Defendants The Ohio State University and Hoffherr be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) and (ii) as frivolous and failing to state a claim upon which relief can be granted. (*See Report and Recommendation*, Doc. 13). The parties were advised of their right to object to the *Report and Recommendation*. This matter is now before the Court on Plaintiff Martiquea Middleton's Objections to the *Order and Report and Recommendation*. (*See* Doc. 15). The Court will consider the matter *de novo*. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

Plaintiff has included some more detailed factual allegations than initially included in her Complaint, however, the factual allegations do not provide any basis to overcome Defendants' sovereign immunity under the Eleventh Amendment. Plaintiff's objections merely present the same issues presented to and considered by the Magistrate Judge in the *Report and*

Recommendation. These general objections are not sufficient to preserve any issues for reviews, and “[a] general objection to the entirety of the magistrate’s report has the same effects as would a failure to objection.” *Howard v. Sec’y of H.H.S.*, 932 F.2d 505, 509 (6th Cir. 1991). For the reasons stated in the *Report and Recommendation*, this Court finds that Plaintiff’s Objections are without merit and are hereby **OVERRULED**.

The *Reports and Recommendation*, Document 13, is hereby **ADOPTED** and **AFFIRMED**. Plaintiff’s Complaint is hereby dismissed.

The Clerk shall remove Documents 12, 13, and 15 from the Court’s pending motions list. The Clerk shall terminate this case.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT